

FILED

DEC 31 2007

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTYUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**'07 MJ 9001**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Victor BARAJAS(1)

Adriana VAZQUEZ(2)

Defendants.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about December 30, 2007, within the Southern District of California, defendants Victor BARAJAS and Adriana VAZQUEZ did knowingly and intentionally import approximately 45.24 kilograms (99.80 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Mesia Varnell, SA
Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 31ST,
DAY OF DECEMBER 2007.

[Signature]
PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

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5 UNITED STATES OF AMERICA

6 v.

7 Victor BARAJAS and

8 Adriana VAZQUEZ

9 STATEMENT OF FACTS

10 This statement of facts is based on the reports, documents, and notes furnished
11 to US Immigration and Customs Enforcement Special Agent Nicole Yammie.

12 On December 30, 2007 at approximately 0739 hours, Victor BARAJAS and
13 Adriana VAZQUEZ entered the United States at the Calexico, California, East Port of
14 Entry. VAZQUEZ was the driver and BARAJAS was the passenger of a 1998 GMC
15 Suburban Silverado, bearing California license plate 5DUW914. VAZQUEZ presented
16 her Permanent Resident card and BARAJAS presented his United States birth
17 certificate to Customs and Border Protection Officer (CBP) Blanchette. BARAJAS
18 stated he has owned the vehicle for approximately three weeks. VAZQUEZ stated they
19 were on their way to Wal-Mart, in Calexico, to do some shopping. CBP Officer
20 Blanchette then referred the vehicle to vehicle secondary for further inspection.

21 In the vehicle secondary lot, CBP Officer Chong took a negative Customs
22 declarations. CBP Canine Enforcement Officer (CEO) David Alba, and his canine
23 Cindy, conduct a sweep of the vehicle. The canine alerted to the gas tank of the
24 vehicle. CEO Alba notified CBP Officer Chong of the alert.

25 A subsequent inspection of the vehicle revealed 31 packages within the gas tank
26 of the vehicle. CBP Officer Chong probed one of the packages, and a sample of a
27 green leafy substance was obtained, which field tested positive for marijuana. The 31
28 packages had a combined net weight of approximately 45.24 kilograms (99.80 pounds).

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1 BARAJAS and VAZQUEZ were placed under arrest and advised of their
2 Constitutional Rights, which they acknowledged and waived. BARAJAS denied
3 knowledge of the marijuana found within the vehicle, but towards the end of the
4 interview when confronted with the inconsistencies during the interview, BARAJAS
5 began crying and asking how much time he was going to receive. VAZQUEZ admitted
6 knowledge of the narcotics found within the vehicle and stated they were going to be
7 paid \$1,000.00 to smuggle the drug-laden vehicle into the United States. VAZQUEZ
8 stated BARAJAS was aware of the narcotics, and stated BARAJAS set up the
9 smuggling venture for them.

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